#### THE CITY OF MINNEAPOLIS

and

## POLICE OFFICERS FEDERATION OF MINNEAPOLIS

### MEMORANDUM OF AGREEMENT REGARDING AMENDMENT TO GRIEVANCE PROCESS AND SETTLEMENT OF LITIGATION

#### **RECITALS**

- A. The City of Minneapolis (hereinafter "Employer") and the Police Officers

  Federation of Minneapolis (hereinafter "Federation") are parties to a Collective

  Bargaining Agreement (hereinafter "Labor Agreement") that is currently in force.
  - B. Section 5.4 of the Labor Agreement describes grievance procedure.
- C. In October, 2006, the Minneapolis City Council passed an ordinance providing, among other things, that no one employed by the Police Department could change the findings of the Civilian Review Authority ("CRA").
- D. Pursuant to the terms of the Labor Agreement, the Federation is entitled to grieve findings of the CRA resulting in discipline and to have access to a process by which the parties can attempt to resolve grievances prior to arbitration.
- E. The Federation filed a lawsuit when the Employer precluded the Chief from negotiating and did not designate a different representative to negotiate with the Federation over just cause for the findings of the CRA when such findings resulted in discipline.

F. The parties now desire to amend the Labor Agreement on the terms provided herein in resolution of the lawsuit.

NOW THEREFORE, the parties hereby agree as follows:

#### **AGREEMENT**

- 1. Step 3 of the Grievance Procedure set for in Section 5.4 of the Labor Agreement is amended as provided in the attached Appendix A.
  - 2. The Federation shall dismiss the lawsuit with prejudice.
- 3. The Labor Agreement remains in full force and effect except as expressly modified herein.

FOR THE CITY OF MINNEAPOLIS:

FOR THE FEDERATION:

Director, Employee Services

President, Police Federation

# APPENDIX A AMENDMENT TO ARTICLE 5, SECTION 5.4 (In Legislative Format)

#### Subd. 3 - Step Three.

If the step two decision is not satisfactory, a written appeal may be filed by the Federation with the Chief of Police, within ten (10) days of the date of the step two decision. Upon request of the Federation, a meeting shall be held between the Chief of Police and the Federation President. If the grievance arises from discipline imposed following a finding of the Civilian Review Authority, the Manager of the CRA shall also attend the meeting. The Manager of the CRA shall be authorized to negotiate with the Federation and resolve the grievance over just cause as to a finding that misconduct occurred. The Manager of the CRA, in consultation with the Chairman of the CRA, using rules established by the CRA, shall have the authority to modify the CRA finding(s). The meeting shall be scheduled by the Chief of Police, and held within twenty (20) days after receipt of the written appeal.

The Chief of Police shall have the full authority of the City Council to resolve the grievance.

Within twenty (20) days after the step three meeting or receipt of the step three appeal, whichever is later, the Chief of Police shall send a written response to the Federation. The step three decision shall clearly identify that answer as a "step three decision."